

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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|----------------------------------|---|---------------------------------|
| CURTIS LEE ERVIN, |) | Case No. 4-0-cv-1228-CW |
| |) | |
| Petitioner, |) | |
| |) | ORDER EXTENDING TIME FOR |
| vs. |) | COMPLETION OF DISCOVERY, |
| |) | AND AMENDING SCHEDULING |
| VINCENT CULLEN, Acting Warden of |) | ORDER |
| San Quentin State Prison, |) | |
| |) | |
| Respondent. |) | <i>Death Penalty Case</i> |
| _____ |) | |

Pursuant to Petitioner's unopposed motion, and good cause appearing therefore,

IT IS HEREBY ORDERED that the time for Petitioner to complete discovery is extended until April 1, 2011. The Court's scheduling order of August 6, 2010, is further amended as follows:

1. Respondent shall move for summary judgment on or before July 1, 2011.
2. Petitioner shall oppose Respondent's motion within 90 days. In the same brief, Petitioner may also cross-move for summary judgment, and/or move for an evidentiary hearing.
3. In a single brief, Respondent shall reply to Petitioner's opposition and oppose Petitioner's motions, if any, within 45 days.
4. Petitioner shall reply to Respondent's opposition to any cross-motions within 30 days.
5. Unless otherwise ordered, the Court will take the motions under submission upon receipt of Petitioner's reply or expiration of the time for Petitioner to reply.

DATED: December 22, 2010


CLAUDIA WILKEN
United States District Judge

Submitted by:

/s/ Pamala Sayasane

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